HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 1973 of 2007

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| Petitioner | | Dr. S.M. Ghosalkar, aged about 55 years, S/o Shri Madhukar Ghosalkar, Occupation – Government Servant (Allocated Doctor to State of M.P.),R/o 101/157 Kanishka Apartment, Dhanvantari Nagar, P.O. Rajendra Nagar, Indore M.P. |
| | Versus | |
| Respondents | 1. | State of Chhattisgarh, Through The Secretary, Public Health and Family Welfare Department, DKS Bhawan, Raipur (C.G.) |
| | 2. | The Director, Health Services, Raipur C.G. |

**SB**: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

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Shri Rajesh Pandey, Advocate for the petitioner.

Shri Arvind Dubey, Panel Lawyer for the respondents/State.

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ORDER

(Passed on this 2nd day of April, 2007)

1. The petitioner, who was working as Medical Officer, at Community Health Center, Charama, District Kanker (Chhattisgarh) was allocated to the State of Madhya Pradesh on mutual basis vide order dated 4.5.2006 (Annexure P/1). The petitioner has preferred this petition, being aggrieved by the inaction on the part of the respondents for not relieving him to join his duties in the State of Madhya Pradesh in pursuance of the allocation of his services to the State of Madhya Pradesh.
2. Thereafter, the petitioner was relieved from his place of working vide order dated 27.7.2006 (Annexure P/2) to report to the respondent No.2. Pursuant to the order dated 27.7.2006 the petitioner reported before the respondent No.2 on 1.8.2006

(Annexure P/5), but even after submission of representation the petitioner has not been relieved by the respondents/State of Chhattisgarh to join in the State of Madhya Pradesh.

3. Learned counsel appearing for the petitioner submits that there is no reason why the respondents are not relieving the petitioner. Learned counsel for the petitioner further submits that about 10 months have been passed since the passing of the allocation order and other similarly situated doctors have already been relieved, therefore, the action of the respondents cannot be said to be justified.

4. In the result, the writ petition is allowed. The respondents are directed to relieve the petitioner in order to enable him to join his duties in the State of Madhya Pradesh.

Sd/-
Satish K. Agnihotri
Judge

Thakur